

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIBEL BAEZ, *et al.*,

Plaintiffs,

-against-

NEW YORK CITY HOUSING  
AUTHORITY,

Defendant.  
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13cv8916

ORDER

WILLIAM H. PAULEY III, Senior United States District Judge:

On September 13, 2019, this Court conducted a status conference concerning the appointment of an Ombudsperson and the launch of a call center (the “Ombudsperson’s Call Center”) to address tenant complaints. Prior to the conference, the parties filed a joint submission: (1) reporting on their data collection efforts, (2) urging the appointment of César de Castro as the Ombudsperson contemplated by the Revised Consent Decree, and (3) expressing their intent to launch a three-month “roll out” of the Ombudsperson’s Call Center to be operated by Stout Risius & Ross, LLC (“Stout”). (ECF No. 233.) This Court has reviewed the parties’ detailed submission and considered the additional information provided at the conference. This Court has also conferred with the Special Master.

This Court hereby appoints César de Castro, Esq. as Ombudsperson at a rate of \$250 per hour, for a period commencing on the date of this Order and continuing through December 31, 2020. This Court also authorizes Stout to operate the Ombudsperson’s Call Center for a period coterminous with that of the Ombudsperson’s appointment and within the estimated budget described in the parties’ joint submission. The parties, the Special Master, and

the Ombudsperson may file an application no later than November 30, 2020 regarding the need to continue the Ombudsperson's services and the operation of the Ombudsperson's Call Center. The Ombudsperson and Stout shall each file quarterly reports with the Court concerning their activities.

As described in paragraph 23 of the Revised Consent Decree: (1) the Ombudsperson shall submit monthly invoices to the Special Master for review and approval, and (2) should the Ombudsperson need assistance of additional persons to carry out his duties, he shall seek permission from the Special Master and provide a written explanation of the reasons for such hiring. Stout shall similarly submit its monthly invoices to the Special Master for review and approval and shall also seek his approval in meeting its staffing needs for the Ombudsperson's Call Center.

Finally, before reaching any determination that NYCHA has acted in bad faith or has failed to use its best efforts to effectively remediate mold or excessive moisture under paragraph 26 of the Revised Consent Decree, the Ombudsperson shall confer with the Special Master and this Court.

Dated: September 20, 2019  
New York, New York

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.